

Senate File 495 - Introduced

SENATE FILE 495
BY COMMITTEE ON LABOR AND
BUSINESS RELATIONS

(SUCCESSOR TO SSB 1174)

A BILL FOR

1 An Act relating to the regulation of boxing, mixed martial
2 arts, and wrestling, making penalties applicable, and making
3 an appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 90A.1, subsections 6 and 7, Code 2021,
2 are amended to read as follows:

3 6. ~~"Professional boxing or wrestling match"~~ means a ~~boxing~~
4 ~~or wrestling~~ public contest or exhibition ~~open to the public~~
5 ~~in this state~~ for which the contestants are paid or awarded a
6 prize for their participation.

7 7. a. "Promoter" means a person or business that does at
8 least one of the following:

9 ~~a.~~ (1) Organizes, holds, advertises, or otherwise conducts
10 a professional boxing or wrestling match under this chapter.

11 ~~b.~~ (2) Charges admission for the viewing of a professional
12 ~~boxing or wrestling~~ match received through a closed-circuit,
13 pay-per-view, or similarly distributed signal.

14 ~~c.~~ (3) Organizes, holds, advertises, or otherwise conducts
15 a mixed martial arts match.

16 (4) Organizes, holds, advertises, or otherwise conducts any
17 form of competition in which a blow is usually struck, or a
18 maneuver is usually executed, which may reasonably be expected
19 to inflict injury.

20 b. "Promoter" does not include the organizer of a private
21 youth martial arts tournament, private test for martial arts
22 belts, developmental contests within private gyms, amateur
23 wrestling, jiu jitsu, or amateur boxing.

24 Sec. 2. Section 90A.2, subsection 1, Code 2021, is amended
25 to read as follows:

26 1. A person shall not act as a promoter ~~of a professional~~
27 ~~boxing or wrestling match or a mixed martial arts match~~
28 without first obtaining a license from the commissioner.
29 This subsection shall not apply to a person distributing a
30 closed-circuit, pay-per-view, or similarly distributed signal
31 to a person acting as a promoter or to a person viewing the
32 signal in a private residence.

33 Sec. 3. Section 90A.3, subsection 4, Code 2021, is amended
34 to read as follows:

35 4. This section does not apply to ~~professional wrestlers or~~

1 contestants in boxing elimination tournaments.

2 Sec. 4. Section 90A.5, subsection 1, paragraphs e, f, and g,
3 Code 2021, are amended to read as follows:

4 e. A match promoter permits a person to participate whose
5 license, registration, or authority, issued pursuant to this
6 chapter, is under suspension ~~to participate in a boxing event~~.

7 f. A match promoter or ~~professional boxer~~ contestant
8 is under suspension by any other state boxing regulatory
9 organization.

10 g. A match promoter or ~~professional boxer~~ contestant is
11 under suspension in any state.

12 Sec. 5. Section 90A.6, subsection 1, unnumbered paragraph
13 1, Code 2021, is amended to read as follows:

14 The commissioner may suspend, deny, revoke, annul, or
15 withdraw a license, registration, or authority to participate
16 ~~in a professional boxing or wrestling match or mixed martial~~
17 ~~arts match~~ any contest under the commissioner's jurisdiction
18 if any of the following occur:

19 Sec. 6. Section 90A.9, Code 2021, is amended to read as
20 follows:

21 **90A.9 Written report filed — tax due — penalty.**

22 1. The promoter of ~~a professional boxing or wrestling match~~
23 ~~or an event or a mixed martial arts match~~ subject to this
24 chapter shall, within twenty days after the ~~match or~~ event,
25 furnish to the commissioner a written report stating the number
26 of tickets sold, the gross amount of admission proceeds of
27 the ~~match or~~ event, and other matters the commissioner may
28 prescribe by rule. The value of complimentary tickets in
29 excess of five percent of the number of tickets sold shall be
30 included in the gross admission receipts. Within twenty days
31 of the ~~match or~~ event, the promoter shall pay to the treasurer
32 of state a tax of five percent of its total gross admission
33 receipts, after deducting state sales tax, from the sale of
34 tickets of admission to the ~~match or~~ event.

35 2. If the promoter fails to make a timely report within

1 the time prescribed, or if the report is unsatisfactory
 2 to the commissioner, the commissioner may examine or cause
 3 to be examined the books and records of the promoter, and
 4 subpoena and examine under oath witnesses, for the purpose of
 5 determining the total amount of the gross admission receipts
 6 for any ~~match~~ event and the amount of tax due pursuant to the
 7 provisions of this chapter. The commissioner may, as the
 8 result of such examination, fix and determine the tax, and may
 9 also assess the promoter the reasonable cost of conducting the
 10 examination. If a promoter defaults in the payment of any
 11 tax due or the costs incurred in making such examination, the
 12 promoter shall forfeit to the state the sum of five thousand
 13 dollars, which may be recovered by the attorney general
 14 pursuant to the bond required under section 90A.2, subsection
 15 3.

16 Sec. 7. Section 90A.10, Code 2021, is amended by striking
 17 the section and inserting in lieu thereof the following:

18 **90A.10 Athletics commissioner revolving fund —**
 19 **appropriation.**

20 An athletics commissioner revolving fund is created in
 21 the state treasury under the control of the department and
 22 shall consist of moneys collected by the commissioner as
 23 fees. Moneys in the fund are appropriated to the department
 24 of workforce development to be used by the commissioner to pay
 25 the actual costs and expenses necessary to perform the duties
 26 of the commissioner as described in this chapter. All fees
 27 collected by the commissioner pursuant to this chapter shall be
 28 remitted to the treasurer of state to be deposited in the fund.
 29 All salaries and expenses properly chargeable to the fund shall
 30 be paid from the fund. Section 8.33 does not apply to any
 31 moneys in the fund. Notwithstanding section 12C.7, subsection
 32 2, interest or earnings on moneys deposited in the fund shall
 33 be credited to the fund.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill relates to the regulation of boxing, mixed martial
3 arts, and wrestling under Code chapter 90A. Such regulation is
4 carried out by the state commissioner of athletics, who is also
5 the labor commissioner.

6 The bill revises the definition of "promoter" to specify
7 that a promoter includes a person or business that organizes,
8 holds, advertises, or otherwise conducts any form of
9 competition in which a blow is usually struck, or a maneuver is
10 usually executed, which may reasonably be expected to inflict
11 injury, but does not include the organizer of a private youth
12 martial arts tournament, private test for martial arts belts,
13 developmental contests within private gyms, amateur wrestling,
14 jiu jitsu, or amateur boxing.

15 The bill provides that licensing requirements; punitive
16 actions such as suspension, denial or revocation of licenses,
17 registrations, or authority to participate in contests;
18 and taxation of 5 percent on gross admission receipts, and
19 associated reporting requirements, cost assessments, and
20 penalties, apply to all promoters subject to Code chapter 90A.
21 Under current law, these provisions apply only to the promoter
22 of a professional boxing or wrestling match or event or a mixed
23 martial arts match. The bill provides that specified grounds
24 for emergency suspensions by the commissioner apply to all
25 contestants. Under current law, such grounds apply only to
26 boxers.

27 The bill strikes a requirement that taxes, examination
28 costs, and penalties charged to promoters be used by the
29 commissioner to award grants to organizations that promote
30 amateur boxing matches in Iowa. The bill creates an athletics
31 commissioner revolving fund in the state treasury under the
32 control of the department to consist of moneys collected by
33 the commissioner as fees. Moneys in the fund are appropriated
34 to the department of workforce development to be used by the
35 commissioner to pay the actual costs and expenses necessary to

1 perform the duties of the commissioner as described in Code
2 chapter 90A. All salaries and expenses properly chargeable to
3 the fund shall be paid from the fund.
4 The bill includes related terminology changes.